

REMARKS

Claims 16 and 17 are pending in this application. Reconsideration of the rejections in view of these amendments and the following remarks is respectfully requested.

Finality of Previous Office Action

Applicants gratefully acknowledge that the finality of the previous Office Action has been withdrawn in view of our argument in the previously filed Amendment after Final Rejection, and the amendments have been entered.

Rejections under 35 USC §102(e)

Claim 16 was rejected under 35 USC §102(e) as being anticipated by Okada et al (U.S. Patent No. 6,111,317).

Claim 16 has been amended to recite “said lowermost conductive metal layer being made of a metal selected from the group consisting of titanium (Ti), chromium (Cr) and molybdenum (Mo).”

In Okada et al, the lowermost conductive metal layer is made of **a material containing at least Al, an Al alloy, or copper (Cu)** (col. 4, lines 65-67). Okada et al does not teach or suggest, among other things, “said lowermost conductive metal layer being made of a metal selected from the group consisting of titanium (Ti), chromium (Cr) and molybdenum (Mo),” as recited in amended claim 16

For at least these reasons, claim 16 patentably distinguishes over Okada et al.

**U.S. Patent Application Serial No. 09/478,508**

**Rejections under 35 USC §103(a)**

Claim 17 was rejected under 35 U.S.C. §103(a) as being obvious over Okada et al.

Claim 17, depending from claim 16, also should patentably distinguish over Okada et al for at least the same reason already discussed above.

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP



Sadao Kinashi  
Attorney for Applicants  
Reg. No. 48,075

SK/fs

Atty. Docket No. **991527**  
Suite 1000, 1725 K Street, N.W.  
Washington, D.C. 20006  
(202) 659-2930



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